

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CLIFTON E JACKSON and
CHRISTOPHER M SCHARNITZKE,

Plaintiff,

Case No. 09-11529
Honorable David M. Lawson

v.

SEGWICK CLAIMS MANAGEMENT
SERVICES, INC., COCA COLA
ENTERPRISES, INC., and PAUL
DROUILLARD,

Defendants.

ORDER DENYING MOTION FOR LEAVE TO FILE SURREPLY

Defendant Coca Cola Enterprises moved for dismissal of the plaintiffs' complaint on July 15, 2009. The plaintiffs responded on July 30, 2009, and Coca Cola replied on August 6, 2009. On August 11, 2009, the plaintiffs filed a motion for leave to file a surreply to Coca Cola's reply brief. In the brief, the plaintiffs argue that Coca Cola's motion to dismiss should be denied.

The Local Rules provide a framework for briefing motions and responses to motions. E.D. Mich. LR 7.1(d). A brief in support of a motion is required. The non-moving party then has twenty-one days to file a response. If the moving party desires, it then may file a reply brief. A party may file an additional brief only upon presenting the Court with good cause. The plaintiffs motion does not contain any reason whatsoever why an additional brief is needed in this case. Instead, the issue presented by the motion – whether a surreply should be allowed by the Court – is not addressed in the plaintiffs' brief. The plaintiffs have not offered any reason why the procedure of the local rules should be disregarded in this case.

Accordingly, it is **ORDERED** that the plaintiffs' motion for leave to file surreply [dkt. #40] is **DENIED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: August 13, 2009

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on August 13, 2009.

s/Lisa M. Ware
LISA M. WARE